

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for authority to provide
telecommunications service by SmallCells
Tower Company, LLC.

DOCKET NO. 140017-TX
ORDER NO. PSC-14-0336-FOF-TX
ISSUED: June 30, 2014

ORDER DENYING SMALLCELLS TOWER COMPANY, LLC'S
APPLICATION FOR CERTIFICATE OF AUTHORITY
TO PROVIDE TELECOMMUNICATIONS SERVICE

BY THE COMMISSION:

On January 7, 2014, SmallCells Tower Company, LLC (SmallCells) filed an application for a Certificate of Authority to provide Telecommunications service within the State of Florida, pursuant to Section 364.335, Florida Statutes. The application requires the company provide the Commission with the following:

- Identify the persons responsible for the application and on-going company operations;
- Provide contact information (address, phone number, etc.)
- Provide proof of active registration with the Florida Secretary of State;
- Complete a series of questions about the company, officers, directors, and stockholders;
- Provide proof that it has the managerial, technical, and financial capability to operate as a telecommunications company.

On March 19, 2014, Commission staff requested financial data from SmallCells needed to evaluate its application. Commission staff did not receive a response to its data request submitted to SmallCells on March 19, 2014.

On May 21, 2014, Commission staff forwarded a certified letter to SmallCells requesting that the financial data be submitted by June 5, 2014. However, Commission staff further explained that if the data was not received by June 5, 2014, SmallCell's application would be considered incomplete and close the docket. As of June 11, 2014, Commission staff had not received a response from SmallCells. Section 2.07C.5.f., Administrative Procedures Manual, states:

TEL and GCL may deny an application to provide pay telephone service, or obtain a certificate of authority to provide local service if staff finds the application is incomplete or inaccurate, subject to the following conditions:

(1) Staff shall send a certified letter to the applicant requesting completion and/or correction of the application.

(2) The applicant does not respond within 15 days.
The docket shall be closed upon issuance of an administrative order.

Pursuant to Section 2.07C.5.f., Administrative Procedures Manual, SmallCell's application shall be denied and the docket shall be closed.

Based on the foregoing, it is

ORDERED that SmallCell's application for authority to provide telecommunications service within the State of Florida is denied. It is further

ORDERED that this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 30th day of June, 2014.



HONG WANG
Chief Deputy Commission Clerk
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.